BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

ORLIS C. BRYANT)
Claimant VS.)) Docket No. 197 575
COLBALT BOATS) Docket No. 187,575
Respondent AND	
U.S.F. & G. Insurance Carrier	}

<u>ORDER</u>

Respondent and its insurance carrier requested Appeals Board review of the Award entered by Administrative Law Judge Shannon S. Krysl dated July 19, 1995. The Appeals Board heard oral argument November 16, 1995.

APPEARANCES

Claimant appeared by and through his attorney, John Carmichael of Wichita, Kansas, appearing for Robert R. Lee. Respondent and its insurance carrier appeared by and through their attorney, M. Doug Bell of Coffeyville, Kansas.

RECORD AND STIPULATIONS

The Appeals Board has reviewed the record listed in the Award and has adopted the stipulations listed in the Award.

ISSUES

On appeal respondent challenges the finding that claimant sustained accidental injury arising out of and in the course of his employment with the respondent and the findings relating to nature and extent of claimant's disability.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record and considering the arguments of the parties, the Appeals Board finds and concludes that claimant sustained accidental injury arising out of and in the course of his employment when the drill he was operating stopped and twisted his left

upper extremity. The Appeals Board also finds the injury resulted in 5 percent permanent partial impairment to his left upper extremity. The Appeals Board so finds for the reasons stated in the findings of fact and conclusions of law by the Administrative Law Judge, which findings and conclusions are hereby adopted by the Appeals Board as its own.

AWARD

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award of Administrative Law Judge Shannon S. Krysl dated July 19, 1995, should be, and the same is hereby, affirmed.

IT IS SO ORDERED.	
Dated this day of July 1996.	
BOARD MEMBER	
BOARD MEMBER	
BOARD WEWBER	
BOARD MEMBER	
DUARD WEWDER	

c: M. Doug Bell, Coffeyville, KS Robert R. Lee, Wichita, KS Shannon S. Krysl, Administrative Law Judge Philip S. Harness, Director